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Catharine L. Vigil

PATENT

#3

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Isa Odidi, et al. : Paper No.:
Serial No. : 09/403,437 : Group Art Unit:
Based On: PCT/CA98/00274 : Examiner:
Filing Date: October 21, 1999 :

For: **Controlled Release Formulations Using Intelligent Polymers**

TRANSMITTAL OF VERIFIED STATEMENT
CLAIMING SMALL ENTITY STATUS

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Submitted herewith is a Verified Statement Claiming Small Entity Status - Independent Individual for the the present application. It is therefore requested that this application be afforded small entity status.

Respectfully submitted,

Jackie Ann Zurcher
Jackie A. Zurcher
Reg. No. 42,251
Dinsmore & Shohl LLP
1900 Chemed Center
255 East Fifth Street
Cincinnati, Ohio 45202
(513) 977-8377

DECLARATION
and
POWER OF ATTORNEY

U.S. NATIONAL PHASE OF INTERNATIONAL APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Controlled Release Formulations Using Intelligent Polymers**, the specification of which was filed as International Application No. PCT/CA98/00274 on April 3, 1998,

☐ and was amended under Article 19 on _____
(if applicable)
☒ and was amended under Article 34 on 11 May 1999.
(if applicable)
☐ and was assigned U.S. Application Serial No. _____
_____ and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits and/or U.S. Provisional application priority benefits under Title 35, United States Code, §119 of any foreign application(s) or U.S. Provisional applications for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign and U.S. Provisional Application(s)				
			Priority Claimed	
Number	Country	Day/Month/Year Filed	Yes	No
60/036551	U.S.	21 April, 1997	X	

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which

occurred between the filing date of the prior application and the PCT international filing date of this application:

PCT/CA98/00274	3 April, 1998	Pending
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby appoint Holly D. Kozlowski, Registration No. 30,468; Ronald J. Snyder, Registration No. 31,062; James D. Liles, Registration No. 28,320; Lynda E. Roesch, Registration No. 29,696; Phillip A. Rotman II, Registration No. 38,290; Martin J. Miller, Registration No. 35,953; Victor C. Moreno, Registration No. 40,732; Jackie A. Zurcher, Registration No. 42,251; John V. Harmeyer, Registration No. 41,815; Scott N. Barker, Registration No. 42,292; and Geoffrey L. Oberhaus, Registration No. 42,955, c/o Dinsmore & Shohl, 1900 Chemed Center, 255 East Fifth Street, Cincinnati, Ohio 45202 (513) 977-8200, my attorneys, with full power in each of them, of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the above-named U.S. attorneys to accept and follow instructions from **Sim & McBurney** as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the undersigned and the aforementioned U.S. attorneys. In the event of a change in the firm or persons from whom instructions may be taken, the aforementioned U.S. attorneys will be so notified in writing by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Isa Odidi

Inventor's signature _____ Date _____

Residence: 200 Walmer Road, Toronto, Canada M5R 3R7
Citizenship: Nigeria/Canada
Post Office Address: Same as above

Full name of second inventor: Amina Odidi

Inventor's signature _____ Date _____

Residence: 200 Walmer Road, Toronto, Canada M5R 3R7
Citizenship: Nigeria/Canada
Post Office Address: same as above

Applicant: ODIDI, Isa et al.	
Serial No.	Attorney's Docket No.
Filed:	
For: Controlled Release Formulations Using Intelligent Polymers	

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INDIVIDUAL**

As a below named inventor, I hereby declare that I qualify as an independent inventor, as defined in 37 CFR 1.9(c), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office, with regard to the invention described in

- ☐ the specification filed herewith, with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(s), if that person had made the invention, or to any concern that would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

- ☒ No such person, concern, or organization exists.
- ☐ Each such person, concern or organization is listed below.*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

ODIDI, Isa

Date: _____

ODIDI, Amina

Signature of Inventor

Date: _____